

CERTIFICATE OF MAILING

Information Disclosure Statement

Application Number	10/607,434
Filing Date	06/25/2003
First Inventor	Mark P. Anstadt
Examiner Name	
Art Unit	
Docket Number	MPA-554

DATE OF DEPOSIT: 11/3/03

TITLE OF CASE:

Sensor-Equipped And Algorithm-Controlled Direct Mechanical Ventricular Assist Device

The following documents are enclosed:

Certificate of Mailing (1 page)
Statement of Date of IDS (1 page)
IDS (5 pages)
Copy of references cited (924 pages)
Return Postcard

The above named documents are being deposited with the United States Postal Service, using First Class Mail service, on the date indicated above, and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

The Director is authorized to charge any additional fee(s) as needed during the pendency of this application to deposit account 50-2753.

Howard J. Greenwald P.C. 349 West Commercial Street, Suite 2490 East Rochester, NY 14445 (585) 387-0285

Signature of Mailer	that Mammand
	Howard J. Greenwald, Esq (Reg. No. 24,247)
	John M. Hammond (Reg. No. 52,986)
-	Peter J. Mikesell (Reg. No. 54,311)
•	Other

NOV 0 5 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

11. 10 appround 01	
USSN 10/607,434	DOCKET MPA-554
GROUP NO.	CONFIRMATION NO.
FILED 06/25/2003	EXAMINER
TITLE Sensor-Equipped And Algorithm-Controlled Direct Mechanical Ventricular Assist Davice	

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1) The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

or

•	ement submitted herewith contains information
that was cited in a communication from a f	oreign patent office in a counterpart foreign
application not more than three months price	or to the filing of the Information Disclosure
Statement. 37 C.F.R. section 1.97(e)(1).	
Date ///3/03	Signature What Manuscus
	The state of the s
	Name John M. Hammond
	Reg. No. <u>52,986</u>
	Howard J. Greenwald P.C.
	349 W. Commercial Street, Suite 2490
	East Rochester, NY 14445
	Customer Number 37282
	Telephone (585) 387-0285
	1010p110110 (000) 000 0200

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Juder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of |5

Complete if Known				
Application Number	10/607,434			
Filing Date	06/25/2003			
First Named Inventor	Mark P. Anstadt			
Art Unit				
Examiner Name				
Attorney Docket Number	MPA-554			

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6,238,334	05-29-2001	Easterbrook et al.	
		^{US-} 6,206,820	03-27-2001	Kazi et al.	
		US- 5,749,839	05-12-1998	Kovacs	
		^{US-} 5,738,627	04-14-1998	Kovacs et al.	
	-	^{US-} 5,716,379	02-10-1998	Bourgeois et al.	
		^{US-} 5,713,954	02-03-1998	Rosenberg et al.	
		^{US-} 5,697,952	12-16-1997	Francischelli et al.	
		^{US-} 5,697,884	12-16-1997	Francischelli et al.	
		^{US-} 5,658,237	08-19-1997	Francischelli	
		^{US-} 5,562,595	10-08-1996	Neisz	
		^{US-} 5,558,617	09-24-1996	Heilman et al.	
		^{US-} 5,496,353	03-05-1996	Grandjean et al.	
		^{US-} 5,429,584	07-04-1995	Chiu	
		^{US-} 5,383,840	01-24-1995	Heilman et al.	
		US- 5,364,337	11-15-1994	Guiraudon et al.	
		^{US-} 5,273,518	12-28-1993	Lee et al.	
		^{US-} 5,256,132	10-26-1993	Snyders	
		^{US-} 5,169,381	12-08-1992	Snyders	
		^{US-} 5,131,905	07-21-1992	Grooters	

	FORE	IGN PATENT DOCU	MENTS		
Cite No.1	Cite Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY	,,	Or Relevant Figures Appear	٣

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/607,434		
Filing Date	06/25/2003		
First Named Inventor	Mark P. Anstadt		
Art Unit			
Examiner Name			
Attorney Docket Number	MPA-554		

	-		U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,119,804	06-09-1992	Anstadt	
		^{US-} 5,098,442	03-24-1992	Grandjean	
		^{US-} 5,098,369	03-24-1992	Heilman et al.	
		^{US-} 4,979,936	12-25-1990	Stephenson et al.	
		^{US-} 4,690,134	09-01-1987	Snyders	
		^{US-} 4,621,617	11-11-1986	Sharma	
		^{US-} 4,536,893	08-27-1985	Parravicini	
		^{US-} 4,448,190	05-15-1984	Freeman	
		^{US-} 4,048,990	09-20-1977	Goetz	
		^{US-} 3,674,381	07-04-1972	Schiff	
		^{US-} 3,613,672	10-19-1971	Schiff	
•		^{US-} 3,590,815	07-06-1971	Schiff	
		^{US-} 3,587,567	06-28-1971	Schiff	
		^{US-} 3,513,836	05-26-1970	Sausse	
		us- 3,478,737	11-18-1969	Rassman	
		^{US-} 3,455,298	07-15-1969	Anstadt	
		^{US-} 3,376,863	04-09-1968	Kolobow et al.	
		^{US-} 3,371,662	03-05-1968	Heid et al.	
		^{US-} 3,279,464	10-18-1966	Kline	

	FORE	IGN PATENT DOCU	MENTS		
Cite No.1		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
 	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	۲
			-		
					L

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation designation number (optional). \(^2\) See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^5\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \(^6\) Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Onder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Sheet 3

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known		
Application Number	10/607,434	
Filing Date	06/25/2003	
First Named Inventor	Mark P. Anstadt	
Art Unit		
Examiner Name		
Attorney Docket Number	MPA-554	

·			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
		US- 3,233,607	02-08-1966	Bolie	
		^{US-} 3,053,249	09-11-1962	Smith	
-		US- 3,034,501	05-15-1962	Hewson	
		^{US-} 2,826,193	03-11-1958	Vineberg	
-		^{US-} 5,800,334	09-01-1998	Wilk	
		^{US-} 5,971,911	10-26-1999	Wilk	
		^{US-} 6,059,750	05-09-2000	Fogarty et al.	
		^{US-} 6,076,013	06-13-2000	Brennan et al.	""
		^{US-} 6,110,098	08-29-2000	Renirie et al.	
		^{US-} 6,251,061	06-26-2001	Hastings et al.	
		^{US-} 6,408,205	06-18-2002	Renirie et al.	
		^{US-} 6,432,039	08-13-2002	Wardle	
		^{US-} 6,464,655	10-15-2002	Shahinpoor	
		^{US-} 6,508,756	01-21-2003	Kung et al.	
		^{US-} 6,626,821	09-30-2003	Kung et al.	
		^{US-} 5,919,209	07-06-1999	Schouten	
		^{US-} 6,044,298	03-28-2000	Salo et al.	
		^{US-} 5,876,345	03-02-1999	Eaton et al.	
		^{US-} 5,089,017	02-18-1992	Young et al.	

FOREIGN PATENT DOCUMENTS					
Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	L
					느
					┡
					느
					┡
					느
		No. Foreign Patent Document	Cite No. Publication Date MM-DD-YYYY	No.¹ Date Applicant of Cited Document	Cite Foreign Patent Document Publication Name of Patentee or No. Date Applicant of Cited Document Mhere Relevant Passages MM-DD-YYYY Or Relevant Figures Appear

			
Examiner		Date	
Signature		Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PADEMARK Substitute for form 1449/PTO

Sheet 4

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known **Application Number** 10/607,434 Filing Date 06-25-2003 First Named Inventor Mark P. Anstadt Art Unit **Examiner Name** Attorney Docket Number MPA-554

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Examiner Initials*	No.1	Number-Kind Code ^{2 (# known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		^{US-} 5,330,505	07-19-1994	Cohen	
		^{US-} 6,309,380	10-30-2001	Larson et al.	
		^{US-} 6,183,412	02-06-2001	Benkowski et al.	
		^{US-} 6,132,363	10-17-2000	Freed et al.	
		^{US-} 6,123,726	09-26-2000	Mori et al.	
		^{US-} 5,910,124	06-08-1999	Rubin	
		^{US-} 6,042,532	03-28-2000	Freed et al.	
		^{US-} 5,980,571	11-09-1999	Nomura et al.	
		^{US-} 5,156,154	10-20-1992	Valenta Jr. et al.	
		^{US-} 4,957,477	09-18-1990	Lundback	
		^{US-} 4,662,358	05-05-1987	Farrar et al.	
		^{US-} 4,192,293	03-11-1980	Asrican	
		US-			

	FOREIGN PATENT DOCUMENTS					
Examiner Cite Fo	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
						_
						L
	ļ <u>.</u>					L
						_
						L
	Ì		l			1

_		
Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PTO/SB/08B (04-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO	e required to respond to a collection of information unless it contains a valid OMB control number. Complet if Known		
Substitute for form 1449/110	Applicati n Number	10/607,434	
INFORMATION DISCLOSURE	Filing Date	06/25/2003	
STATEMENT BY APPLICANT	First Named Inventor	Mark P. Anstadt	
Was as many shorts as assessed	Art Unit		
(Use as many sheets as necessary)	Examiner Name		
Sheet 5 of 5	Attorney Docket Number	MPA-554	

	NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²		
		Author: VICTOR L. POIRIER, Title: The LVAD: A Case Study, Source: Bridge Archives, Published in: The Bridge, Volume 27, Number 4 - Winter 1997, Publication of: National Academy of Engineering of the National Academies, Taken from website: http://www.nae.edu/nae/naehome.nsf/weblinks/NAEW-4NHM83?opendocument			
Examiner		Date			
Signature		Considered			

Examiner	Date	-
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

THIS BOX CONTAINS INFORMATION DISCLOSURE STATEMENT PAPERS AND COPIES OF CITED REFERENCES. PLEASE DISCARD PACKING MATERIAL.

THANK YOU.